

59-1-1412 Applicability of section -- Delinquent payment -- Notice to third parties.

- (1)
 - (a) Except as provided in Subsection (1)(b), this section applies to a delinquency in the payment of a liability.
 - (b) This section does not apply to a garnishment.
- (2) If a person is delinquent in the payment of a liability, the commission may mail notice of the amount of the delinquency:
 - (a) to a person that at the time of the receipt of the notice has in that person's possession, under that person's control, or owing to that person:
 - (i) a credit of the person owing the liability;
 - (ii) personal property of the person owing the liability; or
 - (iii) a debt of the person owing the liability; and
 - (b) in accordance with Section 59-1-1404.
- (3) A person to which the commission mails notice in accordance with this section shall, within 10 days after the date the commission mails the notice, advise the commission of the following in the person's possession, under the person's control, or owing to the person:
 - (a) a credit of the person owing the liability;
 - (b) personal property of the person owing the liability; or
 - (c) a debt of the person owing the liability.
- (4) A person to which the commission mails notice in accordance with this section may not transfer or make any other disposition of a credit, personal property, or debt described in Subsection (3) until the sooner of:
 - (a) the commission consents to the transfer or disposition; or
 - (b) 20 days elapse after the day on which the person provides the commission the information required by Subsection (3).

Enacted by Chapter 212, 2009 General Session